

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

PABLO CHAVEZ,)	Case No.: 1:20-cv-0503 JLT HBK
)	
Plaintiff,)	ORDER ADOPTING IN FULL THE FINDINGS
)	AND RECOMMENDATIONS AND DISMISSING
v.)	THE ACTION WITHOUT PREJUDICE
)	
KINGS COUNTY, et al.,)	(Doc. 13)
)	
Defendants.)	

The assigned magistrate judge screened Plaintiff's complaint and found it failed to state a claim. (Doc. 12 at 4-6.) The magistrate judge also found the relief requested was either moot or precluded by statute. (*Id.* at 6.) Therefore, the magistrate judge directed Plaintiff to exercise one of the following options within 21 days: (1) file an amended complaint; (2) file a notice that he intends to stand on his Complaint subject to the assigned magistrate judge recommend that the Complaint be dismissed; or (3) file a notice to voluntarily dismiss the action. (*Id.* at 7-8.) The Court warned Plaintiff that failure to comply with the order would result in a recommendation that the action be dismissed. (*Id.* at 8.) Nevertheless, Plaintiff failed to comply with—or otherwise respond to—the Court's order.

The magistrate judge found Plaintiff failed to prosecute the action and failed to comply with the Court's order, and recommended the action be dismissed without prejudice. (Doc. 13.) The Court granted Plaintiff 14 days to object to the Findings and Recommendations. (*Id.* at 4.) In addition, the Court informed Plaintiff that the "failure to file objections within the specified time may result in the

1 waiver of rights on appeal.” (*Id.*, citing *Wilkerson v. Wheeler*, 772 F.3d 834, 838-39 (9th Cir. 2014);
2 *Baxter v. Sullivan*, 923 F.2d 1391, 1394 (9th Cir. 1991).) To date, Plaintiff has not filed objections
3 and the time to do so has expired.

4 According to 28 U.S.C. § 636(b)(1)(C), the Court conducted a *de novo* review of this case.
5 Having carefully reviewed the entire file, the Court concludes the Findings and Recommendations are
6 supported by the record and proper analysis. Based upon the foregoing, the Court **ORDERS**:

- 7 1. The Findings and Recommendations issued on September 7, 2022 (Doc. 13) are
8 **ADOPTED** in full.
- 9 2. The action is **DISMISSED** without prejudice.
- 10 3. The Clerk of Court is directed to close this case.

11
12 IT IS SO ORDERED.

13 Dated: **October 7, 2022**


UNITED STATES DISTRICT JUDGE